

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STATUS REPORT

The United States, by and through undersigned counsel, submits this Report on the current status of the extradition of Defendant Jose Dominguez.

Background

1. On August 16, 2017, a one-count Information was filed charging Donna Venturini (Venturini), Hope Carbone (Carbone), and Jose Dominguez (Dominguez) with conspiracy to defraud the United States in violation of 18 U.S.C. § 371.

2. On September 13, 2017, Venturini and Carbone pleaded guilty to the Information pursuant to a written plea agreement whereby they agreed to fully cooperate with the government, including by providing testimony at the trial of their co-defendant, Dominguez. In return, the Government agreed to file a USSG 5K1.1 downward

departure motion at the completion of their cooperation, assuming that their assistance is deemed sufficient.

3. To date, Venturini and Carbone have cooperated with the government. Their cooperation included proffers and the production of documents. However, their cooperation is not as yet complete because their plea agreements with the United States include a provision that Venturini and Carbone testify at the trial of Dominguez if called upon by the United States.

4. Jose Dominguez is a national of the Dominican Republic and he is currently in that country. The U.S. Department of Justice, through its Office of International Affairs (“OIA”), is in the process of obtaining his extradition to the United States so that he may stand trial in this court.

5. According to the OIA, the extradition matter has been fully litigated in the Dominican Republic Supreme Court, including briefing and argument. At this juncture, only a final decision is pending. Previously, in a Joint Motion to Continue to the sentencing of Venturini and Carbone filed on February 6, 2020, this Court was advised a decision from the Dominican Republic Court was expected within the two (2) or

three (3) months.

6. The Court was further advised that if the Dominican Republic's Supreme Court issued a decision in support of extradition, the Dominican Republic Executive Branch then reviews the matter, and executes an order of extradition. The Executive Branch's review and decision was estimated to take one (1) to two (2) months.

7. In light of the above, the government provided its best estimate of four (4) months before an extradition order would be issued.

8. Dominguez remains a fugitive and continues to contest his extradition to the United States to face the charges pending in this Court.

Impact of the COVID-19 Pandemic on the Status of the Dominguez Extradition

9. As stated above, the extradition request has been litigated and the United States is awaiting the Dominican Republic Supreme Court's decision. However, the COVID-19 pandemic has adversely impacted the issuance of the decision. Like other nations, the Dominican Republic has been in shutdown in order to protect the health and welfare of its population. Out of necessity, its court system has prioritized the matters it addresses, such as national security matters,

violent crime, and the COVID-19 issues the nation faces.

10. It remains the position of the U.S. Attorney's Office that Venturini and Carbone complete their cooperation before the United States will file a downward departure motion on their behalf. As stated above, cooperation includes their testimony if called by the United States in the trial of Dominguez.

11. Venturini and Carbone face a sentencing guideline total offense level of 19. If they were to proceed to sentencing before they have an opportunity to complete their cooperation, Venturini and Carbone are concerned that without a downward departure motion, the guidelines call for a terms of incarceration for both. With the filing of a downward departure motion, the court will be in a position to consider alternative forms of punishment, including home detention which, based on the backgrounds of both women and the facts in this case, may be appropriate sentences in this case.

12. The parties recognize that this case has been on the court's docket for a lengthy period of time. Nevertheless, due to the unforeseen circumstances the pandemic has caused, the parties respectfully ask that the court to delay the scheduling of sentencing until at least November 2020.

Respectfully submitted,

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**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an Assistant U.S. Attorney in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion as to be competent to serve papers.

That on June 8, 2020, he served a copy of the attached:

STATUS REPORT

by electronic filing to the persons hereinafter named:

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